

MORIHARA LAU & FONG LLP

A LIMITED LIABILITY LAW PARTNERSHIP

April 3, 2009

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PUBLIC UTILITIES
COMMISSION

The Honorable Chairman and Members of the
Hawaii Public Utilities Commission
465 South King Street
Kekuanaoa Building, Room 103
Honolulu, HI 96813
Attention: Stacey Kawasaki Djou, Esq.

Re: Docket No. 2008-0273 - In the Matter of Public Utilities Commission Instituting a Proceeding to Investigate the Implementation of Feed-In Tariff: Notice of Hawaii BioEnergy LLC's ("HBE") Non-Appearance at Panel Hearings and Prehearing Conference

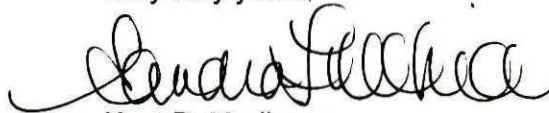
Dear Commissioners and Commission Staff:

On March 27, 2009, HBE received the Commission's Notice of Panel Hearing and Prehearing Conference, set for April 13 to 17, 2009, and April 6, 2009, respectively.

On March 30, 2009, HBE filed a Motion for Approval to Amend its Status as an Intervenor/Party to a Participant ("Motion"). That Motion is currently pending before the Commission. In light of HBE's Motion, it is HBE's understanding that it will not be required to participate in panel hearings and prehearing conferences in the above-referenced proceeding. Accordingly, unless the Commission directs otherwise, HBE hereby provides notice that its authorized representatives and/or its attorneys will not be appearing and participating in the scheduled panel hearings and prehearing conference noted above.

If you should have any questions, please do not hesitate to contact the undersigned. Thank you for your assistance in this matter.

Very truly yours,



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c: Service List

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